

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional) 6144.10
<p>I hereby declare that:</p> <p>My residence and mailing address and citizenship are stated below next to my name.</p> <p>I am authorized to act on behalf of the following assignee: <u>NCR Corporation</u></p> <p>and the title of my position with said assignee is: <u>Law Vice President</u></p> <p>The entire title to the patent identified below is vested in said assignee.</p>		
Name of Patentee(s): <u>Paul O. Detwiler, Barry M. Mergenthaler, and Hong Tang</u>		
Patent Number <u>5,684,289</u>	Date of Patent Issued <u>11/4/97</u>	
Title of Invention <u>OPTICAL SCANNER HAVING ENHANCED ITEM SIDE COVERAGE</u>		
<p>I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled <u>OPTICAL SCANNER HAVING ENHANCED ITEM SIDE COVERAGE</u></p> <p>the specification of which</p> <p><input checked="" type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed on _____ as reissue application number _____ / _____ and was amended on _____ (If applicable)</p> <p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.</p> <p>I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input type="checkbox"/> by reason of a defective specification or drawing.</p> <p><input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.</p> <p><input type="checkbox"/> by reason of other errors.</p> <p>At least one error upon which reissue is based is described as follows:</p> <p><u>See attached statement of error.</u></p> <p>[Attach additional sheets, if needed.]</p> <p>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.</p>		

[Page 1 of 3]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (Optional) 6144.10											
<p>I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">Name(s)</td> <td style="width: 50%;">Registration Number</td> </tr> <tr> <td>Douglas S. Foote</td> <td>31013</td> </tr> <tr> <td>Paul W. Martin</td> <td>34870</td> </tr> <tr> <td>Michael Chan</td> <td>33663</td> </tr> <tr> <td>James Stover</td> <td>32759</td> </tr> </table>				Name(s)	Registration Number	Douglas S. Foote	31013	Paul W. Martin	34870	Michael Chan	33663	James Stover	32759
Name(s)	Registration Number												
Douglas S. Foote	31013												
Paul W. Martin	34870												
Michael Chan	33663												
James Stover	32759												
<p>Correspondence Address: Direct all communications about the application to:</p> <div style="display: flex; align-items: center;"> <div style="margin-right: 20px;"> <input checked="" type="checkbox"/> Customer Number <div style="border: 1px solid black; padding: 2px; margin-left: 10px;">26884</div> </div> <div style="margin-left: 20px;"> </div> </div> <p style="text-align: center; margin-top: 5px;">Type Customer Number Here</p> <p style="text-align: right; margin-top: 10px;">26884</p>													
<input type="checkbox"/> Firm or Individual Name		PATENT TRADEMARK OFFICE											
Address													
Address													
City	State	Zip											
Country													
Telephone	937-445-2990	Fax	937-445-8394										
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>													
Full name of person signing (given name, family name) Douglas S. Foote													
Signature 		Date 3/22/01											
Address of Assignee 1700 S. Patterson Blvd., Dayton, Ohio 45479-0001													
Patentee Paul O. Detwiler		Citizenship USA											
Residence/Mailing Address 2100 Broadway Drive, Lawrenceville, Georgia 30044													
Patentee Barry M. Mergenthaler		Citizenship USA											
Residence/Mailing Address 916 Pinbrook Drive, Lawrenceville, Georgia 30043													
<input checked="" type="checkbox"/> Additional Patentees are named on separately numbered sheets attached hereto.													

REISSUE APPLICATION DECLARATION OF THE ASSIGNEE

Patentee Hong Tang	Citizenship USA
Residence/Mailing Address 2305 Cape Courage Wage, Suwanee, Georgia 30024	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 6144.10

In re Application for Reissue
Of U.S. Patent No. 5,684,289

Paul Detwiler et al.

Art Unit: Unassigned

Serial No.:

Examiner: Unassigned

Filed: **MAR 23 2001**

For: **OPTICAL SCANNER HAVING ENHANCED ITEM SIDE COVERAGE**

Asst. Commissioner for Patents

Washington, D. C. 20231

**DECLARATION WITH
STATEMENT OF ERROR IN
SUPPORT OF REISSUE APPLICATION**

Sir:

Applicants further declare the following:

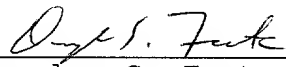
The error upon which applicants are relying to support the Reissue application is that of claiming more than they had the right to claim in the above identified patent 5,684,289 ("the '289 patent"). The basis for this error is that applicants' attorney believed that the method of scanning bar codes, and the structure for doing so, by directing scanning beams through a vertical aperture or window in an orthogonal direction, and directing other

scanning beams in a diagonal direction through the same window, while directing still other scanning beams through a horizontal window, was new in the scanning system disclosed in the '289 patent, but he recently learned, as a consequence of an interference proceeding involving the '289 patent, and he now understands, that this was true in the system disclosed in applicants' earlier patent 5,229,588.

Applicants had reviewed the claims that became the claims of the '289 patent before that patent issued, but applicants are not sufficiently familiar with the interpretation of patent claims to have been able to see this error, and now that it has been brought to their attention they agree that this operation and structure was present in the bar code scanning system in their earlier patent 5,229,588.

Applicants also erred in failing to recognize that claims such as claims 36 to 55, which add features not present in their earlier '588 patent, should have been included in the '289 patent. These errors were made without any deceptive intent.

NCR Corporation



Douglas S. Foote
Law Vice President

Dayton, Ohio

MAR 22 2001